

Message Text

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TO USMISSION GENEVA PRIORITY

C O N F I D E N T I A L STATE 144189

FOLLOWING REPEAT SANTIAGO 3905 ACTION SECSTATE INFO LIMA JUN 13

QUOTE

C O N F I D E N T I A L SANTIAGO 3905

EO 11652: GDS

TAGS: SREF, CVIS, PE, CI

SUBJECT: PAROLE OF CHILEAN REFUGEES AND DETAINEES

REF: STATE 137514

1. SUMMARY. THIS CABLE CONTAINS OUR OBSERVATIONS WITH RESPECT TO DRAFT PROCEDURES AND GUIDELINES FOR CHILEAN REFUGEE/ DETAINEE PROGRAM AS DESCRIBED STATE 137514. END SUMMARY.

2. EXTENSIVE PRESS COVERAGE TODAY HAS MADE THIS A PUBLIC PROGRAM, AND WE WILL BE USING OFFICIAL USG MATERIAL RECEIVED OR IN TRANSIT AS BASIS FOR REPLIES TO QUERIES. FORMAL APPROACHES TO GOC AND INTERNATIONAL ORGANIZATIONS CONCERNED WILL BEGIN MONDAY, JUNE 16.

3. WE UNDERSTAND THAT ACTION WILL BE ON A CASE-BY-CASE BASIS AND THAT THERE IS NO OFFICIAL TARGET OR LIMIT. BEARING IN MIND DEPARTMENT'S ORIGINAL PLAN TO RECEIVE 400 PERSONS PLUS CONFIDENTIAL

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FAMILIES, WE WILL SEEK TO PREVENT GROSS MISCALCULATIONS IN EITHER DIRECTION BY CHILEANS.

4. ELIGIBILITY CRITERIA: WE HAVE NO PROBLEM WITH ELIGIBILITY

REQUIREMENTS SPECIFIED REFTEL. ANNOUNCEMENTS WE MAKE ON PROGRAM WILL SPECIFY THAT ONLY DETAINED PERSONS RE ELIGIBLE. QUESTION OF POSSIBLE INELIGIBILITY UNDER 212(A)(9) MAY ARISE, SINCE PROBABLY MOST POTENTIAL PAROLEES HAVE BEEN CONVICTED UNDER NATIONAL SECURITY LEGISLATION BY MILITARY TRIBUNALS (NOT BY CIVIL COURTS) AND ARE PRESENTLY SERVING SENTENCES. EMBASSY WILL OF COURSE HAVE TO USE ITS BEST JUDGMENT AS TO WHICH SENTENCES ARE ESSENTIALLY POLITICAL IN NATURE AND WHICH HAVE BEEN IMPOSED FOR GENUINE CRIMINAL ACTIVITIES. EMBASSY WILL SUBMIT TO DEPARTMENT THOSE CASES WHERE OFFENSE IS DETERMINED BY CONSULAR OFFICER TO BE POLITICAL IN NATURE, AND ADVISORY OPINION WOULD THEN WE ASSUME BE OBTAINED FROM SCA/VO PRIOR TO ONWARD TRANSMISSION TO INS. BEYOND CRITERIA FOR STRICT INELIGIBILITY UNDER PROVISIONS OF INA, IT WOULD BE HELPFUL TO HAVE GUIDELINES FROM DEPARTMENT ON POSITIVE CRITERIA TO USE IN SELECTION OF PAROLEES--I.E., WHAT KIND OF PEOPLE WE SHOULD LOOK FOR AND WHOM WE SHOULD BE LESS INTERESTED IN.

5. STAFFING: CONCERNING STAFFING REQUIREMENTS, SANTIAGO 6085 OF SEPTEMBER 4, 1974, STATED THAT AN ADDITIONAL TDY CONSULAR OFFICER WOULD BE REQUIRED. THAT RECOMMENDATION WAS BASED ON PROPOSITION THAT AN INS OFFICER AND AN OFFICER FROM SR/ORM WOULD BE DETAILED TO SANTIAGO TO ADMINISTER THE PROGRAM. WITHOUT THOSE OFFICERS, EMBASSY WILL NEED ON TDY BASIS THREE CONSULAR OFFICERS, AT LEAST TWO WITH SPANISH CAPABILITIES, PLUS AN AMERICAN SECRETARY FOR CLASSIFIED TYPING. THE CHILEAN DETAINEES ARE LOCATED IN DETENTION CENTERS OR JAILS THROUGHOUT CHILE, AND TRAVEL TO THE CENTERS DISTANT FROM SANTIAGO WILL BE REQUIRED FOR INTERVIEWS BY THE CONSULAR OFFICERS. IT IS ESTIMATED THAT ONE OFFICER WILL BE REQUIRED FOR TRAVEL AND INTERVIEWS WITH DETAINEES AND FAMILIES OUTSIDE SANTIAGO; ONE OFFICER TO INTERVIEW DETAINEES IN SANTIAGO AND SURROUNDING AREA; AND ONE OFFICER FOR LIAISON WITH ICEM AND OTHER AGENCIES, CORRESPONDENCE ON RECOMMENDATIONS TO DEPARTMENT AND LIMA, ADVISORY OPINIONS, COLLECTION AND EVALUATION OF SECURITY INFORMATION, AND CONGRESSIONAL AND PRIVATE CORRESPONDENCE
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GENERATED BY PROGRAM. ONE AMERICAN SECRETARY (PROBABLY LOCALLY HIRED) WILL BE REQUIRED FOR CLASSIFIED TYPING AND FILING. HOST, IF NOT ALL, OF THE INVESTIGATIONS WILL ENTAIL CLASSIFIED CORRESPONDENCE. THE CONSULATE PHYSICALLY IS SEPARATED FROM THE CHANCERY AND IS NOT PRESENTLY STAFFED BY AN AMERICAN SECRETARY, NOR IS ONE AVAILABLE IN EMBASSY FOR DETAIL TO THE CONSULATE. THERE IS NO PROBLEM OF OFFICE SPACE IN CONYULATE.

6. FUNDING: WE ASSUME DEPARTMENT WILL PROVIDE FUNDING AND/OR TRUST FUNDS FROM VOLAGS, NOT ONLY FOR ANY TDY PERSONNEL BUT ALSO SUCH OPERATING EXPENSES AS LOCAL TRAVEL FUNDS (AIR, TRAIN AND PRIVATE AUTO LEASE), COST OF MEDICAL EXAMINATIONS,

AND COST OF OBTAINING CIVIL DOCUMENTS. WE HOPE ICEM WILL BE ABLE TO ABSORB SOME OF THESE EXPENSES. LOCAL TRAVEL FUNDS ARE NOT AVAILABLE TO COVER THESE ADDITIONAL EXPENSES.

7. OPERATIONS: WE FORESEE NO PROBLEM WITH NUMBER OF OPERATING POINTS MADE IN REFTEL (E.G., PREFERENCE TO DETAINEES WITH FAMILIAL-INSTITUTIONAL CONNECTION IN U.S., AVAILABILITY OF FULL INFORMATION AND DOCUMENTATION ON DETAINEES, GOC ASSURANCES OF RELEASE IF CHOSEN BY USG, VALID TRAVEL DOCUMENT). PRESUME IT WILL BE PRACTICAL TO USE ALREADY EXISTING, IF CUMBERSOME, MECHANISM FOR ARRANGEMENTS: LOCAL CHILEAN ORGANIZATION INTERVIEWS DETAINEES WHOSE NAMES ARE SUPPLIED BY GOC AND ARRANGES DOCUMENTATION; ICRC VERIFIES WILLINGNESS TO LEAVE CHILE; ICEM ARRANGES COUNTRY OF EXILE AND ACTUAL TRAVEL. ICEM IS PRINCIPAL EMBASSY CONTACT AND SERVES TO KEEP EMBASSY FROM HAVING TO BE IN DIRECT TOUCH WITH GOC ON DAY-TO-DAY BASIS.

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